

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RGI BRANDS LLC, :
Plaintiff/Counterclaim Defendant,
:
-v- : Civil Action No. 12 CV 1369-(BSJ) (AJP)
:
COGNAC BRISSET- AURIGE S.A.R.L,
Defendant/Counterclaim Plaintiff. :

**NOTICE OF MOTION FOR AN ORDER
AMENDING OR ADDING ADDITIONAL FINDINGS
PURSUANT TO FRCP RULE 52(B) OR
FOR RETRIAL PURSUANT TO FRCP RULE 59**

PLEASE TAKE NOTICE that, upon the annexed Affidavit of Jared Rapp, sworn to on September 16, 2013; and upon all prior pleadings and proceedings in the above-captioned matter, RGI Brands LLC ("RGI"), Plaintiff/Counterclaim Defendant, will apply to this Court at the Courthouse, before the Hon. Lorna G. Schofield, United States District Judge, 500 Pearl Street, New York, New York 1007, as soon as counsel may be heard, granting Plaintiff an Order Amending or Adding Additional Findings Pursuant to Federal Rules of Civil Procedure ("FRCP") Rule 52(B) or for Retrial pursuant to FRCP Rule 59 and conducting a hearing in connection therewith, on the grounds that the documentary evidence previously offered on Plaintiff's Motion for a Default Judgment, and this Court's adoption of the Magistrate Judge's Report and Recommendations, were insufficient to sufficiently explain Plaintiff's damage claims and to address alleged deficiencies raised by the Magistrate and this Court.

Dated: New York, New York
September 16, 2013



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